

Amendment No. 2

Original Damion.....2016-10112

Amendment No. 1.....2016-10250

THIS AMENDMENT is entered this _____ day of _____, 201__ by the County of St. Louis, a duly organized county within the State of Minnesota, hereinafter referred to as the "County," and the City of Duluth, hereinafter referred to as the "City", a municipal corporation of St. Louis County, Minnesota.

WHEREAS, the County and the City entered into a cooperative agreement, hereinafter referred to as the "Original Agreement," in April 2016 for improvements to the intersection of West Arrowhead Road and Kenwood Avenue under project CP 0034-278317; and

WHEREAS, the County and the City executed an amendment to the Original Agreement, hereinafter referred to as "Amendment No. 1," in May 2016 to include milling and paving the north leg of Kenwood Avenue (County State Aid Highway No. 34); and

WHEREAS, the Original Agreement cost participation by the County was \$75,000.00, and Amendment No. 1 increased the Original Agreement by \$60,000.00 for a total cost participation of \$135,000.00

WHEREAS, the parties desire to amend the Original Agreement for a second time so as to enable both parties to continue to enjoy the mutual benefits it provides by allowing for additional services, hereinafter referred to as "Amendment No. 2".

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the parties do agree as follows:

1. Increase the cost participation for the County by an additional \$75,000.00, which will increase the total cost participation to \$210,000.00.
 - a. The increase in the County cost participation by Amendment No. 2 is needed because the County requested an additional ½ inch of milling for pavement preservation and the actual unit price for bituminous pavement was higher than the estimated unit price.
 - b. Amendment No. 2 covers the total anticipated cost participation for the County for this project.

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IN WITNESS THEREOF, the parties have executed the Amendment the date and year first written above.

City of Duluth

By: _____
Mayor

By: _____
City Clerk

By: _____
City Auditor

APPROVED AS TO FORM & EXECUTION

By: _____
City Attorney

County of St. Louis

By: _____
Steve Raukar
Chair, County Board

By: _____
Donald Dicklich
Auditor

By: _____
James T. Foldesi
Public Works Director

APPROVED AS TO FORM & EXECUTION:

By: _____
Kimberly Maki
Assistant County Attorney

Damion No. 2016-10623